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SUSPENSIONClaim of Auditor
Austin Is
Heard.An Heir Gets Judgment
for Trust and
Money.The Sumner Case—New Move in
Korean Suits—Many Matters
Before the Courts.

After the hearing of the new phase of the Sumner case, which concluded about 3:30, the Supreme Court yesterday afternoon took up former Auditor Austin's claim for salary while he was under suspension by the Governor.

THE SUMNER CASE.

In the Sumner case the question as to making the Ellis families and St. Louis College parties was early answered as to the college by the filing of a full release of its claim by the Lord Bishop-elect of Zeugma, in consideration of the donation of \$10,000 by Sumner to that institution as previously acknowledged by his predecessor, the Bishop of Panopolis. Mr. Humphreys suggested a technical objection on the ground that the Bishop-elect was not yet consecrated, but the court checked a reply by Mr. Davis with the statement that, as no positive objection had been made, the release would be admitted for what it was worth. The argument then proceeded, marked by some acidulous passages between counsel. Against the motion to make the Ellis families and the college parties, the time was divided between Messrs. Davis and Magoon. The case was taken under advisement.

ANCIENT WILL CASE.

John F. Colburn has made a fresh move toward reopening probate of the will of Robert William Holt by the Supreme Court nearly forty-one years ago. He petitions that Carlos A. Long, or some other suitable person, be granted letters of administration de bonis non on the estate. It is claimed in the petition that, since the death of Alexander J. Cartwright in 1892, there has been nobody legally appointed to administer the estate, although Bruce Cartwright and Henry Smith have each successively assumed to act as trustee under the will.

HEIR GAINS RIGHTS.

Judge Robinson gave judgment for plaintiff as prayed for, excepting as to attorney's fees, in the bill to declare a trust and to enforce a charge on real estate brought by William Lono Austin against R. William Holt, Annie Harris Holt, John D. Holt Jr., Elizabeth K. Richardson nee Holt and E. Vivian Richardson, her husband. The plaintiff claimed under the will of Eliza Wood Holt, a former wife of R. William Holt, which devised her property to her husband subject to a charge of \$25 a month for the board, maintenance and education of plaintiff, William Lono Austin, during his minority, the payment thereof to be continued to him during his natural life. His petition showed conveyances of parts of the property by defendants without regard to his interest under the will, claiming also an indebtedness to him by the estate until date of petition of \$3125. By the judgment now given the plaintiff has a trust for his benefit declared in all of the property and is to be paid the amount due him as stated.

MRS. BATCHELOR'S ESTATE.

P. D. Kellett Jr., has filed a master's report on the accounts of Emma S. Douglas, administratrix of the estate of Catherine E. Batchelor, deceased. The total receipts from principal and income were \$3863.19 and payments \$2581.63, leaving a balance due the estate of \$1281.56. The real estate, according to the original inventory, was valued at \$7375.20 and personality \$1906.99. An amended inventory shows the termination of a lease and the sale of \$400 bonds of the O. R. & I. Co., but takes no account of jewelry formerly put down at \$213.20. Mention is made of the settlement of a claim of Helen Fonseca as an heir by the payment of \$1000 to Geo. A. Davis, her attorney, for which a quitclaim deed was given. A suit by the administratrix against Dr. T. Mitamura for summary possession is pending, which the master submits may raise a question as to whether she may now be discharged. The master finds the accounts correct and recommends that they be approved, also that upon satisfactory explanation being given as

to the jewelry the administratrix be ordered to deliver over all the property now in her possession to the persons thereto entitled, after deducting all necessary expenses.

THE HOPP ESTATE.

Edwin M. Marshall, administrator of the estate of John Hopp, deceased, has filed an account, showing receipts of \$2931.63 and payments of \$2846.63, leaving a balance of \$85. A statement gives the assets, including a half interest in the business of J. Hopp & Co., as \$18,874.06, and the liabilities of the estate \$2846.63, leaving a net value of \$16,027.43. The house and lot in Alakea street is valued at \$3000.

HEAVY FORECLOSURE.

Judge De Bolt granted the petition of W. O. Smith and others, trustees of the Lunallilo estate, for a decree of foreclosure and sale against H. W. Schmidt, who consented by his answer. The mortgage is on respondent's Beretania street property adjoining the Queen's Hospital grounds, being to secure principal and interest of promissory notes on which there is due \$38,722.34. C. F. Peterson is named in the decree as commissioner of sale.

DIVORCE SUITS.

Judge De Bolt granted a divorce to Kawi against his wife Haili on the ground of desertion.

In the receivership connected with the divorce case of Carolina Silva vs. M. G. Silva, the Lunallilo estate trustees petition for leave to join the receiver, Henry Waterhouse Trust Co., Ltd., in suit to foreclose mortgage. Petitioners hold a mortgage for \$1000 on Silva's estate.

COURT NOTES.

Dole vs. Bailey, the outcome of Bailey's Honolulu Cyclery bankruptcy, was still being heard before Judge Gear at 4 o'clock, when the court rose until this morning.

B. S. Gregory has served a materialman's lien for a balance of \$562.74 against F. H. Redward, contractor, on the dwelling house and premises of F. M. Swanzy at Punahou. Emmeluth & Co., Ltd., has served a lien of \$273.75, and J. Rosenstein one of \$70 on the same property against the contractor.

Scaled depositions from McConnellsville, Ohio, in the matter of the estate of James J. Stewart, deceased, have been filed by F. H. Loucks, clerk.

Nine civil appeals from the Honolulu District Court were sent up to the Circuit Court yesterday.

F. H. Loucks, Charles Phillips and J. A. Thompson, appraisers, have valued the real estate of the late C. F. Wolfe at \$7900.

THE FEDERAL COURT.

In the United States District Court counsel for defendant in the immigration cases of P. V. Berger vs. E. Fax-on Bishop filed a motion to have each case of the 113 Koreans tried separately. They claim that there are distinct circumstances in the different cases. This move is subject to the court's decision on the plea of estoppel.

Judge Estee sustained the demurrer to the petition for making Hee Fat a bankrupt, giving petitioners until Saturday to file an amended petition, on which the hearing was set for Monday. M. F. Prosser, J. J. Dunne and R. W. Breckons appeared for the alleged bankrupt, and J. A. Magoon and J. Lightfoot for the petitioning creditors. The first ground of the successful demurrer was that the petition failed to show what the business of the alleged bankrupt was, the special point being that a rice planter cannot be made an involuntary bankrupt. He is a farmer and as such within the exemption of the law for that occupation. The second ground was that while the petition alleged an antecedent mortgage, it did not show that it was a mortgage intended to defraud the creditors.

The Hayashi bankruptcy case was continued until Monday.

SAW RELATIVES OF
PLANTATION JAPS

Rev. Doremus Scudder, who lately returned from Japan, says that crude oil is being extensively used in the rice fields there to kill insects that afflict the crop. It does no harm to the rice plant itself and would not, he thinks, hurt taro and rice here if used to exterminate mosquitoes.

Speaking of his mission in Japan Mr. Scudder says that, with the aid of the Government, he was able to meet 10,000 relatives of Japanese laborers here. He had seventy-nine meetings in the provinces. A great many people gave him messages for their kindred in Hawaii, some of them being parents who had not heard from their sons in a long time and were paying twelve per cent interest on the money borrowed to repay the cost of their passage here. Others knew that their sons or daughters were dead but could not administer the property left by them without a death certificate. Such certificates are hard to get in Hawaii. Mr. Scudder made the interesting statement that agents from various provinces are at work in Hawaii picking up worthless Japs and sending them home. Japan only wants to be represented here by its best labor element.

PROF. LEONG, CHINESE
REFORMER.He Is Now Explaining His Ideas and Being Dined
in Chinatown.

Every afternoon at 4 the residents of Doyers and Pell streets desert their choky shops, their chop suey restaurants and their laundries and stand along the curb of Pell street, choosing the shady side. Presently two of Commissioner Woodbury's men come along drawing a line of hose. They attach it to the hydrant at the corner of Pell and Doyers streets and flush the street from curb to curb. That to the Chinese mind is the outward sign of reform in New York.

Reform, they understand, too, means fewer hansom cabs whirling thither from the night restaurant district of New York with men and women who want to hit the pipe, and perhaps different visitations by the police. But the hose is the symbol that they know best.

Of late, though, reform has been a live word in Chinatown, says the New York Sun, and the gospel of reform for China has been preached day and night at public meetings in the Doyers Street Theatre and at elaborate banquets served in Pell and Mott streets. Prof. Leong Kai Cheu, who says he wasn't named in a sneeze, is spending two weeks in New York, talking on the political liberation of the Chinese people and gathering funds for ventures into new fields to plant the same sentiments.

He says that 4,000 New York Chinamen have joined the organization he is forming and have paid from \$1 to \$300 each to promote the cause. Three reformers accompany him on his trip. They are Pow Chee, his secretary and interpreter; Chu Si Kong, leader of the reform movement in Chicago, and Charley Yip Yen, who tops the same cult in Vancouver.

Not very long ago there was a price on the heads of all four in China because they had displeased the Government there. Prof. Leong had to go to Japan to edit his newspaper and used to smuggle it into China in disguise.

One week he'd call it one name, and the next day he'd switch to a new name. Names were easy to get, and the Chinese font is full of letters.

Prof. Leong wears American clothes, but he cannot speak the language. He talked to a reporter through his interpreter, Pow Chee.

Prof. Leong admitted that he was but 30 years old.

"He says he was a B. A. at the age of 12 years," said the interpreter.

"Quite an old B. A. T. at 30," said the Hon. Bill Singleton, who has an American wife and is falling into slang.

"What is that?" asked the interpreter.

"I invite you both to dine with me," said the Hon. Bill.

"Certainly," said the interpreter with a bow, "but we have 208 previous engagements." Then he cast a solemn eye at Bill and said: "We wish to be serious. The distinguished reformer had the degree of A. M. when he was 16."

"Just a A. M., or later?" asked Bill Singleton, who was trying not to see his wife beckoning to him.

"I have been to see some of your schools," said Prof. Leong with the help of his secretary. "They are great institutions. It is by public schools that we hope to bring about the new life in China."

"I, myself, have founded a number of public schools in China and Japan, and I have written some books which, I pray, may help my people to a better understanding of the higher ideals of life."

"We have 50,000 members in America. I found my task easier here than in Australia, because here the Chinese have a clearer understanding of liberty. Although the New York branch is but three months old we have 4,000 members."

"The reigning authorities in China do not believe in Western civilization and they hamper our educational campaign."

"I have found the American stamp on many of my countrymen here, and I only wish they might go back to China to explain to their brethren there the happier state of life that is possible in a different civilization."

"We do not seek to banish from China all the customs which time has made sacred there. It is time that fanaticism was stamped out. I am a Buddhist, but I want the American people to know that our association recognizes the goodness in Christianity and encourages the visit of its missionaries to China because we feel that whatever creed they may bring with them, they bring the uplifting doctrines that are making America so great and its people so happy."

"I am a Christian," said the interpreter.

Then he translated that remark to Prof. Leong, who said: "Yes, and he can tell you how highly we value the services of the missionaries. The Boxer outrages never can be repeated. It was a good but bitter lesson which the Dowager Empress learned when the Powers sent their armies to China. It is a lesson which will teach her to hold these fanatics in restraint with all the powers of her Government."

Prof. Leong's nights are one round of banquets. Only those who have been to a Chinese dinner can realize how long it can last.

Every Chinaman of property or of consequence in New York has felt it his duty to entertain Prof. Leong at dinner and to invite there as many friends as he could afford. The result has been a season of unexampled prosperity for the restaurants of the Chinese district.

From New York he will go to Boston and then visit other cities of the East.

Hail To Men!



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